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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/159,503	09/24/1998	B. REILLY BARRY	COS-97-101	5202
25537	7590	04/19/2007	EXAMINER	
VERIZON PATENT MANAGEMENT GROUP 1515 N. COURTHOUSE ROAD SUITE 500 ARLINGTON, VA 22201-2909			BACKER, FIRMIN	
			ART UNIT	PAPER NUMBER
			3621	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		04/19/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

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patents@verizon.com

Office Action Summary

Application No.

09/159,503

Applicant(s)

BARRY ET AL.

Examiner

FIRMIN BACKER

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 97-115 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 97-115 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 97-115 have been considered but are moot in view of the new ground(s) of rejection.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 97-115 are provisionally rejected on the ground of nonstatutory double patenting over claims 61-91 of copending Application No. 11/115732. This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

Art Unit: 3621

4. The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows: see claims limitations 61-91 of application 05/159,503

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 97-115 are rejected under 35 U.S.C. 103(a) as being obvious over by Cohn et al (U.S. Patent No. 6,411,684) in view of Archer (U.S. Patent No. 6,683,870).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in

Art Unit: 3621

the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

7. As per claims 97 and 115 Cohn et al teach an integrated and secure system for conducting business over the public Internet by enabling a customer of an enterprise communications network to command and control the customer's switched communications connections within the network over the public Internet and to view the results of any changes in the customer's connections over the public internet, the system comprising an object oriented protocol for enabling encrypted interactive communications between the system and the customer over the public internet, the protocol invoked within the customers web browser to support encryption, customer identification, authentication and network entitlements; at least one secure web server for managing secure customer sessions over the public Internet, the secure server providing session management for the customer connection, the session management including customer identification, validation, entitlements and encryption; and at least one dispatch server for communicating with the secure web server and a plurality of system resources, the dispatch server providing verification of system access and proxy generation for the system resources after the customer's entitlements have been verified (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*). Cohn et al to teach the plurality of system resources including a network manager which manages the routing of the customer's traffic over the communications network, and a view application to review the network traffic, the network

Art Unit: 3621

manager and the view application responsive to proxy requests from the dispatch server to enable the customer to command and control switched voice traffic resources and switched data traffic resources provided by the enterprise to the customer. However, Archer teaches the plurality of system resources including a network manager which manages the routing of the customer's traffic over the communications network, and a view application to review the network traffic, the network manager and the view application responsive to proxy requests from the dispatch server to enable the customer to command and control switched voice traffic resources and switched data traffic resources provided by the enterprise to the customer (*see col. 4 lines 17-51*). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cohn et al's invention to include Archer's plurality of system resources including a network manager which manages the routing of the customer's traffic over the communications network, and a view application to review the network traffic, the network manager and the view application responsive to proxy requests from the dispatch server to enable the customer to command and control switched voice traffic resources and switched data traffic resources provided by the enterprise to the customer because this would have provided a more flexible and convenient system of communicating information to a customer.

8. As per claim 98, Cohn et al teach an integrated and secure system wherein the switched voice traffic resources include switched toll free voice traffic resources and the network manager includes a toll free network manager application to command and control the routing of switched toll free voice traffic (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*).

9. As per claim 99, Cohn et al teach an integrated and secure system wherein the switched voice traffic resources include switched call center voice traffic resources and the network manager includes a call manager application to command and control the routing of switched voice traffic between call centers (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

10. As per claim 100, Cohn et al teach an integrated and secure system wherein the network manager includes an outbound network manager to command and control switched toll traffic (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

11. As per claim 101, Cohn et al teach an integrated and secure system wherein the view application includes a reporter for generating reports on switched voice communications in the network (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

12. As per claim 102, Cohn et al teach an integrated and secure system wherein the reporter for generating reports on the switched voice communications in the network includes a real time reporter for generating reports on network traffic in near real time (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

Art Unit: 3621

13. As per claim 103, Cohn et al teach an integrated and secure system wherein the reporter for generating reports on the switched voice communications in the network includes a real time reporter for generating reports on outbound network traffic in near real time (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

14. As per claim 104, Cohn et al teach an integrated and secure system wherein the reporter for generating reports on the switched voice communications in the network includes a reporter for generating history reports on the switched voice communications occurring during preselected periods of time (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

15. As per claim 105, Cohn et al teach an integrated and secure system wherein the reporter for generating reports on the switched voice communications in the network includes a report manager application for enabling a customer to generate reports for a plurality of switched voice communication applications and an in-box manager application for communicating the reports to the customer (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

16. As per claim 106, Cohn et al teach an integrated and secure system wherein the reporter for generating reports on the switched voice communications in the network includes a priced call application for enabling a customer to generate priced reports and invoices for a plurality of

Art Unit: 3621

switched voice communication applications (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

17. As per claim 107, Cohn et al teach an integrated and secure system wherein the customer's switched communications connections includes switched data traffic connections and the view application includes a broadband view application for generating reports on data relating to switched data traffic (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

18. As per claim 108, Cohn et al teach an integrated and secure system wherein the system includes an in-box application for storing and forwarding reports to the customer on data relating to the customer's switched voice and data traffic (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

19. As per claim 109, Cohn et al teach an integrated and secure system wherein the system includes an event monitor application for storing and forwarding alarms generated with respect to the customer's traffic over the communications network (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

20. As per claim 110, Cohn et al teach an integrated and secure system for conducting business over the public internet by enabling a customer of an enterprise communications network to modify the customer's switched voice communications connections with the network

Art Unit: 3621

over the public Internet and to monitor the results in near real time over the public internet, the system comprising an object oriented protocol for enabling encrypted interactive communications between the system and the customer over the public Internet, the protocol invoked within the customer's web browser to support customer identification, authentication and network entitlements, at least one secure web server for managing secure customer sessions over the public internet, the secure server providing session management for the customer connection, the session management including customer identification, validation, entitlements and encryption, at least one dispatch server for communicating with the secure web server and a plurality of system resources, the dispatch server providing verification of system access and proxy generation for the interactive communications after the customer's entitlements have been verified, (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*). Cohn et al to teach the plurality of system resources including a toll free network manager which manages the routing of the customer's toll free voice traffic over the communications network, and a real time monitor which provides near real time monitoring of network traffic, the network manager and the real time monitor responsive to proxy requests from the dispatch server to enable the customer to manage the communications network resources provided by the enterprise to the customer in near real time. However, Archer teaches the plurality of system resources including a toll free network manager which manages the routing of the customer's toll free voice traffic over the communications network, and a real time monitor which provides near real time monitoring of network traffic, the network manager and the real time monitor responsive to proxy requests from the dispatch server to enable the customer to manage the communications network resources provided by the enterprise to the

Art Unit: 3621

customer in near real time (*see col. 4 lines 17-51*). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cohn et al's invention to include Archer's plurality of system resources including a toll free network manager which manages the routing of the customer's toll free voice traffic over the communications network, and a real time monitor which provides near real time monitoring of network traffic, the network manager and the real time monitor responsive to proxy requests from the dispatch server to enable the customer to manage the communications network resources provided by the enterprise to the customer in near real time because this would have provided a more flexible and convenient system of communicating information to a customer.

21. As per claim 111, Cohn et al teach an integrated and secure system wherein the system further includes a single order entry application as one of the plurality of system resources, wherein the order entry application enables a customer to identify and authenticate a plurality of users with distinct toll free call manager entitlements, and to modify the entitlements from a single point of customer identification and authentication (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

22. As per claim 112, Cohn et al teach an integrated and secure system wherein the system further comprises an B-Billing application which enables electronic business transactions to pay for the services, the order entry and E-Billing applications responsive to proxy requests from the dispatch server to enable the customer to manage and pay for the communications network

Art Unit: 3621

services provided by the enterprise (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

23. As per claim 113, Cohn et al teach an integrated and secure system wherein the system further includes a client view application for generating historical reports of data relating to calls on the communications network (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

24. As per claim 114, Cohn et al teach an integrated and secure system wherein the system enables invoice generation and electronic payment for pre-selected calls over the public Internet (*see figs 1, 2, 3, 6, 10, 13, columns 4 lines 13-5 line 35, 18 lines 23-60, 19 line 18-20 line 50*)..

Conclusion

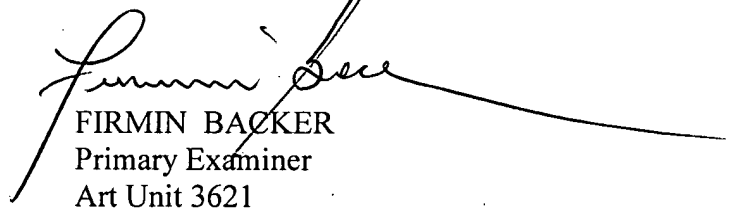
Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMIN BACKER whose telephone number is 571-272-6703.

The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



FIRMIN BACKER
Primary Examiner
Art Unit 3621

April 13, 2007